

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

CAROLYN H. SRIVASTAVA,)	
)	
Plaintiff,)	
vs.)	No. 1:12-cv-1295-SEB-TAB
)	
AFNI, INC., et al.,)	
)	
Defendants.)	

Entry and Order Dismissing Action

I.

A.

The plaintiff was reminded of the restricted filer Order issued by the Court of Appeals on August 30, 2011, in No. 11-2817, and given an opportunity to demonstrate that the fine imposed in No. 11-2817 has been paid or is no longer in effect.

B.

The plaintiff responded through her filing of October 5, 2012, which has been carefully considered. The plaintiff's response does not show that that the fine imposed in No. 11-2817 has been paid or is no longer in effect. The plaintiff's response also does not show any other reason to doubt the validity of the Order, to disregard its terms, or to doubt that the person identified in the Order as Carolyn H. Srivastava is the same individual as the plaintiff in this case. The consequence of these circumstances is that the Order in No. 11-2817 remains in effect, as follows:

[T]he clerks of all federal courts in this circuit shall return unfiled any papers submitted either directly or indirectly by or on behalf of Carolyn H. Srivastava unless and until she pays in full the sanction that has been

imposed against her. *See In re: City of Chi.*, 500 F.3d 582, 585-86 (7th Cir. 2007); *Support Sys. Int'l, Inc. v. Mack*, 45 F.3d 185, 186 (7th Cir. 1995) (per curiam). In accordance with our decision in *Mack*, exceptions to this filing bar are made for criminal cases and for applications for writs of habeas corpus. *See Mack*, 45 F.3d at 186-87. This order will be lifted immediately once Srivastava makes full payment. *See City of Chi.*, 500 F.3d at 585-86.

In turn, the foregoing means that the plaintiff cannot file papers in this action, and without that ability is unable to prosecute it.

The action is therefore dismissed for failure to prosecute. The only way to prevent the further abusive litigation of this plaintiff is to specify that the dismissal be with prejudice.

C.

Two observations: *First*, if the plaintiff has questions concerning the true record in this case, she may inspect the clerk's file from the lobby the clerk's office during regular business hours or from a public terminal in the clerk's office during regular business hours. *Second*, there is no exception in the Order of August 30, 2011, in No. 11-2817 for post-judgment filings or for appeals. No documents submitted for filing by or on behalf of the plaintiff in this will be accepted. No such filing should be attempted.

D.

All pending motions are denied as moot.

II.

Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 10/11/2012



SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

Distribution:

All Electronically Registered Counsel

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